

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:06cr19WJG-RHW-1

MARISHA TANGENEKA PRUITT

ORDER DENYING MOTION FOR SENTENCE REDUCTION

THIS MATTER is before the Court on the *pro se* motion [65] of Defendant Marisha Tangeneka Pruitt for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) based upon recent amendments to the sentencing guidelines applicable to offenses involving cocaine base, and the subsequent decision by the United States Sentencing Commission [Sentencing Commission] to make this amendment retroactive, pursuant to United States Sentencing Guideline section 1B1.10 effective March 3, 2008.

Defendant was found guilty by jury verdict on all three counts at the conclusion of her trial on June 20, 2006. (Ct. R., Doc. 45). Defendant was sentenced in this cause on September 11, 2006, to 151 months in the custody of the Bureau of Prisons on each count to run concurrently, said term of imprisonment to be followed by a 5-year term of supervised release, and the mandatory special assessment of \$300.00. (Ct. R., Minute Entry, 9/11/2006, and Doc. 53.) That sentence was based on her being held accountable for approximately 13 kilograms of cocaine hydrochloride. There was no crack cocaine in the case and Defendant's guideline calculations were not based on crack cocaine guidelines. Therefore, the Court finds Defendant is

not entitled relief based on the guideline amendments for crack cocaine. It is therefore,

ORDERED AND ADJUDGED that Defendant's motion [65] for sentence reduction be,  
and is hereby denied.

SO ORDERED AND ADJUDGED this the 2nd day of April, 2009.

*Walter J. Gax III*

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UNITED STATES SENIOR DISTRICT JUDGE